

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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PHILLIP JEROME GARDNER,

Plaintiff,

-against-

ELI LILLY COMPANY, INC., THE
DEPT. OF MHU OF RIKERS ISLAND
C-73, C-95 AND C-71; NIC
DOWNSTATE CORRECTIONAL
FACILITY; GREEN HAVEN
CORRECTIONAL FACILITY; ATTICA
CORRECTIONAL FACILITY;
BROOKLYN HOUSE MEN OF
DETENTION,

Defendants.
-----X

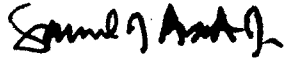
07-CV-3982 (RJS)

RULE 7.1 STATEMENT

Pursuant to Rule 7.1 of the Federal Rules of Civil Procedure, and to enable Judges and Magistrate Judges of the Court to evaluate possible disqualification or recusal, defendant Eli Lilly & Company, by its undersigned attorneys, certifies that it has no subsidiaries or affiliates which are publicly held.

Dated: New York, New York
October 5, 2007

PEPPER HAMILTON LLP

By: 
Samuel J. Abate, Jr. (SA 0915)
The New York Times Building
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New York, NY 10018
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Attorneys for Defendant
Eli Lilly and Company

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AFFIDAVIT OF SERVICE

The undersigned, being duly sworn, deposes and says that she is over the age of 18 years, and is not a party to this action.

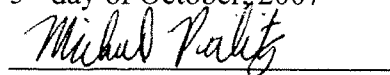
That, on the 5th day of October, 2007, the undersigned caused to be served the within RULE 7.1 STATEMENT by first class mail upon:

Pro Se Phillip Jerome Gardner
#00-A-1955
Sullivan Correctional Facility
P.O. Box 116
Fallsburg, NY 12733-0116

the addresses having been designated by said attorneys for that purpose, by depositing a true copy of same, securely enclosed in a postpaid properly addressed wrapper, in an official depository under the exclusive care and custody of the United States Postal Service.


Marie Ramos

Sworn to before me this
5th day of October, 2007


Notary Public

MICHAEL PALITZ
Notary Public, State of New York
No. 01PA6133474
Qualified in Westchester County
Commission Expires 9/19/2009